

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Assistant Commissioner for patents, Washington, D.C. 20231.

Date:

June 26, 1997

Vicki Collins  
(Type or print name of person mailing paper)

Vicki Collins  
(Signature of person mailing paper)

#10/a  
JEP  
7/30/97

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of	)	Group Art Unit: 1205
Bischofberger et al	)	Attorney Docket No. 205.5
Serial No: 08/653,034	)	Examiner: Weddington, K.
Filed: May 24, 1996	)	
Title: Novel Compounds and Methods for	)	
Synthesis and Therapy	)	

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

This is responsive to the Patent and Trademark Office action mailed March 26, 1997. A request for a TWO MONTH extension of time is submitted herewith, whereby the time for response expires on June 26, 1997.

Group I, Claims 1, 2 and 4-20 is elected for prosecution and Claim 3 is canceled in this response.

Restriction/Election Requirement

The Office has required restriction to one of the following inventions:

Group I: Claims 1, 2 and 4-20, drawn to compositions and methods containing compounds of formula (I) or (II), classified in Class 514, subclasses 315, 365, 385, 396, 408, 421, 432, 446 and 451.

Group II: Claim 3, drawn to methods of treatment or prophylaxis of influenza infection with compositions of the invention, classified in Class 514, subclasses 315, 365, 385, 408, 421, 432, 446, 451 and 888.

Election

Applicants elect, without traverse, the invention of Group I, Claims 1, 2 and 4-20. The single species of Compound 229, Scheme 28, page 201, is elected for examination.

Amendment

In view of the requirement for restriction/election, and under the protection of 35 U.S.C. §121, please cancel Claim 3 without prejudice to Applicants' rights to pursue the canceled subject matter in divisional/continuation applications.

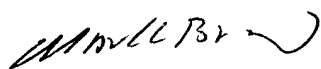
Request for a Telephonic Interview

If the Examiner deems it useful, Applicants request, at the Examiner's convenience, a telephonic interview with Mark Bosse at (415) 572-6569 for the purpose of expediting the allowance of the present Application.

Conclusion

Group I, Claims 1, 2 and 4-20, is elected for prosecution and Claims 3 is canceled in this response.

Respectfully submitted,



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Dated: 06/26/97

### **Section 1. Preliminary statements**

Applicants submit herewith patents, publications or other information of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 CFR 1.97 (g)), an admission that the information cited is, or is considered to be, material to patentability or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

### **Section 3. Copies of Listed Information Items Accompanying This Statement**

Legible copies of all items listed in Form PTO-1449 accompany this information statement.

Reg. No. 35,071

Tel. No.: (415 ) 572-6569

  
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**SIGNATURE OF ATTORNEY**

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Mark L. Bosse

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